

### Measure Would End Bush Administration's Stall Tactics; Require EPA To Quickly Develop Guidelines

*Endicott, NY* - Congressman Maurice Hinchey (D-NY) today unveiled legislation he will introduce in the House tomorrow to mandate expedited federal health safety standards of trichloroethylene (TCE). Hinchey said the Toxic Chemical Exposure (TCE) Reduction Act is designed to end the Bush administration's stall tactics and require the U.S. Environmental Protection Agency (EPA) to quickly develop health safety standards that will help improve the government's ability to protect public health from TCE -- a chemical widely considered a probable carcinogen.

"It's time for the EPA to issue strong and final health safety standards for TCE so this country can finally address contamination issues that are taking place in Endicott, Ithaca, and all across the country," Hinchey said. "In an effort to protect its friends in big industry, the Bush administration has wrapped so much bureaucratic red tape around the TCE standards process that it's taking an extraordinary amount of effort to cut through it. However, we will not stop until we get national health safety standards for TCE that will set cleanups and other life-saving steps into motion. People should not have to suffer any longer from TCE contamination."

The TCE Reduction Act, which U.S. Senator Hillary Rodham Clinton (D-NY) introduced in the Senate, requires the EPA Administrator to publish a health advisory within 180 days of the enactment of the bill for trichloroethylene that fully protects, with an adequate margin of safety, the health of susceptible populations (including pregnant women, infants, and children). The measure requires the EPA to account for body weight (children are more susceptible); all exposure patterns; and all routes of exposure, particularly vapor intrusion, which occurs when TCE-contaminated soils release vapors that enter homes, threatening residents' health and reducing property values in communities living above TCE plumes.

The measure also requires the EPA Administrator to promulgate a national primary drinking water regulation (no later than 1 year after enactment for the proposed regulation and no later than 18 months after enactment for the final standard). Additionally, the bill requires consumer confidence reports to disclose the presence of, and the potential health risks to susceptible

populations from exposure to trichloroethylene in drinking water. The measure requires the EPA Administrator to: publish a health advisory no later than one year after enactment of the bill for trichloroethylene that fully protects the health of susceptible populations from vapor intrusion; establish an integrated risk information system reference concentration no later than 18 months after enactment for trichloroethylene vapor, which is protective of susceptible populations; and apply such reference concentration to cleanup activities and mitigation efforts no later than two years after the date of enactment.

As a member of the House Appropriations Subcommittee on Interior and Environment, Hinchey last year convinced the panel to provide additional money and strong direction to the EPA, requiring the agency to expedite the revision of the risk assessment for TCE, as called for by the National Academy of Sciences, after reviewing existing health data.

Despite the fact that EPA has previously said it will have a final draft of the revised risk assessment by the end of the year, the other agencies that are required to review that draft (Department of Defense, NASA, Department of Energy, and others) will have an indeterminate amount of time to do so, likely prolonging the review process while people continue to fall ill from exposure. Additionally, under current Bush administration rules, after the prolonged review by the other agencies is concluded, the president's Office of Management and Budget (OMB) will then have an indeterminate amount of time to conduct a final review and make revisions of the draft before scientific peer review can even occur.

Hinchey strongly opposes that process, noting that OMB is a non-scientific body responsible for managing budgetary issues before government. The congressman said OMB should not have the ability to hold up a health standard, nor should it have a final say based on political views about what that risk assessment should contain prior to or after scientific peer review. The TCE Reduction Act that Hinchey is introducing tomorrow will help expedite the process through the Bush administration's OMB trap.

"The Bush White House has found yet another way to put corporate interests ahead of the well-being of the general public," Hinchey said. "By saying that the non-scientific and very political OMB has to review the EPA's work before it can be enacted, the White House is attempting to block any new EPA standards. At the end of the day, it's the people of Endicott, Ithaca, and other communities across the country who will suffer. In order to move the EPA process forward and avoid this pitfall, I'm introducing the TCE Reduction Act tomorrow in the House. It's time for the federal government to do a much better job of protecting the public from TCE contamination."

TCE, which has made its way into 400-500 homes in Hinchey's congressional district as a result of vapor intrusion, is widely recognized as a probable carcinogen. Six years ago, the EPA conducted a Health Risk Assessment, endorsed by its Science Advisory Board, that determined TCE to be 5 to 65 times more toxic than originally thought. The New York State Department of Health and ATSDR have released results from a series of health statistics review studies of residents exposed to TCE -- studies Hinchey fought to initiate -- that reveal increased rates of certain types of cancers, specifically kidney and testicular cancers, and congenital heart defects for people and infants living in the area of the Endicott TCE spill.

Hinchey has been the constant leader of efforts to clean-up TCE contamination in Endicott and hold all responsible parties accountable. In 2003, Hinchey had language included in a federal bill to have ATSDR conduct its health-risk study. The congressman has also pressed the New York State Department of Health to develop its own risk standards.

Last year, Hinchey also secured the backing of the Congress for the National Institute for Occupational Safety and Health (NIOSH) to conduct a new federal study on trichloroethylene (TCE) exposure and cancer rates among 28,000 IBM employees who worked at the company's Endicott site since 1964. That study is already beginning to get underway.